

SENATE BILL 471

By Walley

AN ACT to amend Tennessee Code Annotated, Title 4;  
Title 7; Title 9 and Title 64, Chapter 6, relative to  
regional megasites.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 64-6-110, is amended by deleting the section and substituting instead the following:

As of the effective date of this act, the existing membership of the board of directors governing the authority and corporation that was created under this section as it existed prior to the effective date of this act is vacated and the board ceases to exist; however, the authority and corporation formed under this section prior to the effective date of this act do not cease to exist and are subject to governance by the board of directors established under § 64-6-105 on and after the effective date of this act.

SECTION 2. Tennessee Code Annotated, Section 64-6-105(a), is amended by deleting subdivisions (1) and (2) and substituting instead the following, and by redesignating the subsequent subdivisions accordingly:

(1) On and after the effective date of this act, the authority is governed by a board of directors in which all powers of the corporation are vested. The membership of the board is composed of:

(A) The member of the house of representatives who represents all or a majority of the district within which the megasite is located;

(B) The member of the senate who represents all or a majority of the district within which the megasite is located;

(C) Two (2) members appointed by the governor, to serve initial terms of one (1) year;

(D) One (1) member appointed by the speaker of the senate, to serve an initial term of two (2) years;

(E) One (1) member appointed by the speaker of the house of representatives, to serve an initial term of three (3) years; and

(F) The president of HTL Advantage.

(2) Following the initial terms, all appointed members of the board shall serve terms of four (4) years.

(3) Appointed members serve at the pleasure of the appointing authority and may be removed with or without cause.

(4) After constitution of the board under this subsection (a), the board shall amend its bylaws and articles of incorporation, as necessary.

(5) The membership of the board also includes nonvoting members as follows:

(A) The mayor of each county that contains, or is contiguous to, the megasite property, or the mayor's designee;

(B) The mayor of a county in this state with a population of not less than ninety-eight thousand two hundred (98,200) and not more than ninety-eight thousand three hundred (98,300), according to the 2010 federal census or any subsequent federal census, or the mayor's designee; and

(C) The mayor of a municipality with a population of not less than ten thousand two hundred ninety (10,290) and not more than ten thousand two hundred ninety-nine (10,299), according to the 2010 federal census or any subsequent federal census, or the mayor's designee.

SECTION 3. Tennessee Code Annotated, Section 64-6-101(b), is amended by deleting the language "megasite or may be created by the commissioner of economic and community development in accordance with § 64-6-110." and substituting instead "megasite.".

SECTION 4. Tennessee Code Annotated, Section 64-6-104(a), is amended by adding the following new subdivision:

(4) Is a county with a population of not less than ninety-eight thousand two hundred (98,200) and not more than ninety-eight thousand three hundred (98,300), according to the 2010 federal census or any subsequent federal census. A county meeting the requirements of this subdivision (a)(4) may elect to participate in a regional megasite authority as a participating municipality on and after the effective date of this act.

SECTION 5. Tennessee Code Annotated, Section 64-6-104, is amended by deleting subsections (c)-(f) and substituting instead the following:

(c) Participating municipalities shall assist the board of directors constituted under § 64-6-105(a)(1) in any matter deemed appropriate and consistent with this chapter and the laws of this state at the direction of the board.

SECTION 6. Tennessee Code Annotated, Section 64-6-108, is amended by adding the following new subsection:

(1) Notwithstanding any law to the contrary, on or after the effective date of this act, the board constituted under § 64-6-105(a) shall prepare a new economic impact plan or revise the existing economic impact plan. The board shall submit a new or revised economic impact plan to each participating municipality for comment; provided, that the board may adopt the plan without the approval of each participating municipality. The board shall utilize the previous economic impact plan, existing reports, documents,

site evaluations, and other available information and records for purposes of developing the new or revised economic impact plan.

(2) The chair of the board shall report on the progress of the regional megasite authority with respect to improving, financing, operating, maintaining, and marketing the megasite to:

(A) Not later than July 1, 2021, and each July 1 thereafter, the joint committee on government operations, and to such committee at the call of the chairs; and

(B) The state and local government committee of the senate and the local government committee of the house of representatives at the call of the respective chair.

SECTION 7. Tennessee Code Annotated, Title 64, Chapter 6, is amended by adding the following new section:

All funds allocated or appropriated prior to the effective date of this act for use by the board, regional megasite authority, or to implement this chapter, and any accounts related thereto, are deemed to be funds and accounts of the board constituted under § 64-6-105(a) on and after the effective date of this act.

SECTION 8. This act takes effect upon becoming a law, the public welfare requiring it.